



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,843	10/19/2001	Kazunori Kato	862.C2411	7066

5514 7590 07/13/2005

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

SHAH, KAMINI S

ART UNIT	PAPER NUMBER
----------	--------------

2142

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,843

Applicant(s)

KATO, KAZUNORI

Examiner

Kamini S. Shah

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/20/05 IDS.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) 28-60 and 62 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-16, 18-25, 27 and 61 is/are rejected.
- 7) ☒ Claim(s) 8, 17 and 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/20/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group 1, namely, claims 1-27 and 61 in the reply filed on 4/29/05 is acknowledged. The traversal is on the ground(s) that the search and examination of all pending claims of Group 1, 2 and 3 can be made without serious burden. This is not found persuasive because Group I and Group II are different and claiming distinct species that the search for group II for determination means and management means for managing status of print processing is not required for Group I. Similarly, Group I and Group II are different and distinct that the search for Group III for an information processing apparatus comprising acquisition means and instruction add-on/revision means is not required for Group 1.

The requirement is still deemed proper and is therefore made FINAL.

Information Disclosure Statement

2. The information disclosure statement filed 1/20/05 (office action in JP 2001-308832) fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-7,9,10-16,18, 19-24, 25,27,61 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 07248889.

5. regarding claims 1, 10 and 19,61, as best understood, JP 07248889 discloses a printing control apparatus that communicates with image forming apparatus, connected via a network (i.e., detection means 123 in print ser 12 communicates with reception means 142 in an information processor 14), comprising:

registration means for registering information used (i.e, the printer control section 219 controls a printer 13 in order to print data by printer 13, the time management section 220 for making a printer 13 supervise for every predetermined time amount, ad decision section 221 judges the condition of the printer, see page 3, last 5 lines)[0013];

generating means for generating setting information to set a printing completion notification destination in a such manner that notification of completion of printing can be received from the image forming apparatus (i.e., the error notification assembly section 222, on page 4, top of page)[0013].

Regarding claims 2, 11, and 20, as best understood, information used in utilization of the image forming apparatus includes information indicative of printing-completion notification, said generating means generating setting information for the

Art Unit: 2142

printing completion notification, JP 07248889, discloses the advice assembly section 223 which notifies that printing of printer 13 was completed normally to workstation 14 side, see page 4, top of page, lines 1-4 [0013].

Regarding claims 3-7, 9,12-16, 18, 21-25, and 27, wherein the apparatus further includes printing completion notification means of the image forming apparatus will be set as network address, (see workstation managed table storing section 226 in step 414, and step 423, and 424); furthermore, the claimed feature such as print-request receiving means and printing-permission notification step, JP 07248889 discloses advise means 124 and supervisory control means 125 on page 3 paragraph [0012].

Allowable Subject Matter

6. Claims 8, 17, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The cited prior art does not teach or discloses the determination means for determining the printing completion notification destination of said image forming apparatus with if and then condition as claimed.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kamini S. Shah whose telephone number is 571-272-2279. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew B. Caldwell can be reached on 571-272-3868. The fax phone

Art Unit: 2142

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kamini S Shah
Primary Examiner
Art Unit 2142

kss